

SENATE BILL 19-123

BY SENATOR(S) Moreno, Zenzinger, Rankin; also REPRESENTATIVE(S) Esgar, Hansen, Ransom, Snyder.

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF REVENUE.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Appropriation to the department of revenue for the fiscal year beginning July 1, 2018. In Session Laws of Colorado 2018, section 2 of chapter 424, (HB 18-1322), amend Part XIX as follows:

Section 2. Appropriation.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

			APPROPRIATION FROM								
&	TOTAL	GENERAL	GENERAL	CASH	REAPPROPRIATED	FEDERA					

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATE FUNDS	D FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
			ART XIX ENT OF REVENUE			

(1) EXECUTIVE DIRECTOR'S OFFICE

(A) Administration and Suppo	rt			
Personal Services	9,634,991	3,680,120	497,691	5,457,180 ^b
	(126.1 FTE)			
Health, Life, and Dental	12,699,520	5,065,441	7,615,882ª	18,197 ^b
Short-term Disability	137,500	56,646	80,688ª	166 ^b
S.B. 04-257 Amortization				
Equalization Disbursement	4,042,418	1,666,122	2,371,409ª	4,887 ^b
S.B. 06-235 Supplemental				
Amortization Equalization				
Disbursement	4,042,418	1,666,122	2,371,409 ^a	4,887 ^b
Salary Survey	2,582,782	1,083,134	1,496,461°	3,187°
Shift Differential	126,584		126,584°	
Workers' Compensation	1,085,724	430,129	655,595°	
Operating Expenses	2,277,404	1,557,425	719,979°	
Postage	3,051,455	2,840,891	210,564*	
	3,133,381		292,490°	
Legal Services	4,333,814	2,627,857	1,705,957°	
Administrative Law Judge				
Services	4,158		4,158ª	
Payment to Risk				
Management and Property				
Funds	293,248	116,175	177,073°	
Vehicle Lease Payments	669,802	168,466	501,336°	
Leased Space	5,238,528	835,024	4,403,504 ^a	
Capitol Complex Leased				
Space	2,330,327	1,649,646	680,681°	

						APPROPRIATION FROM							
	ITEM & SUBTOTAL		TOTAL	GENERAL FUND		GENERAL FUND EXEMPT		CASH FUNDS		REAPPROPRIATED FUNDS		FEDERAL FUNDS	
	\$		\$		\$		\$		\$		\$	\$	
Payments to OIT CORE Operations Utilities	_	15,778,3 902,4 143,7 69,375,1 69,457,0	22 03 40			10,372,670 357,507				5,405,67 544,91 143,70	5ª		

^a These amounts shall be from various sources of cash funds.

(B) Hearings Division

Personal Services	2,227,978	2,227,978 ^a
	(29.6 FTE)	
Operating Expenses	95,457	95,457 ^a
Indirect Cost Assessment	175,174	175,174 ^a
	2,498,609	

^a These amounts shall be from various sources of cash funds.

71,873,749 71,955,675

(2) INFORMATION TECHNOLOGY DIVISION

(A) Systems Support

Personal Services	100,000	100,000	
Operating Expenses	1,516,490	1,109,976	406,514°
	1 616 490		

^b Of these amounts, it is estimated that \$4,723,434 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S., and \$761,883 shall be from statewide indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

^c This amount shall be transferred from the Department of Corrections from the Offender ID Program in the Institutions Section.

				APPROPRIATION	FROM	
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	EXEMPT \$	\$	\$ \$	

^a This amount shall be from various sources of cash funds.

(B) DMV IT System (DRIVES) Support

Operating Expenses	2,617,535	2,617,535ª
County Office Asset		
Maintenance	568,230	568,230 ^a
County Office		
Improvements	40,000	$40,000^{a}$
	3.225.765	

^a These amounts shall be from the Colorado State Titling and Registration Account in the Highway Users Tax Fund created in Section 42-1-211 (2)(a)(I), C.R.S., or the Colorado DRIVES Vehicle Services Account in the Highway Users Tax Fund created in Section 42-1-211 (2)(b)(I), C.R.S.

4,842,255

(3) TAXATION BUSINESS GROUP^{102a}

(A) Administration

(A) Administration			
Personal Services	540,557	512,427	28,130°
	(5.0 FTE)		
Operating Expenses	12,543	12,543	
Tax Administration IT			
System (GenTax) Support	5,701,770	5,691,770	10,000 ^b
	6,254,870		

^a Of this amount, it is estimated that \$26,104 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., and \$2,026 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1)(a), C.R.S., and appropriated pursuant to Section 43-4-201 (3)(a)(III)(V), C.R.S.

^b This amount shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.

					APPROPRIATION FROM							
	ITEM & SUBTOTAL	TOTAL		GENERAL FUND	GENERAL FUND EXEMPT		CASH FUNDS		ROPRIATED FUNDS	FEDERAL FUNDS		
	\$ \$		\$		\$	\$		\$	\$			
(B) Taxation and Compl	iance Division											
Personal Services	17,788,866			16,547,328			1,087,45	3 ^a	154,085 ^b			
	(234.6 FTE)											
Operating Expenses	1,029,745			1,005,549			24,19	96ª				
Joint Audit Program	131,244			131,244								
Mineral Audit Program	890,388								66,000°	824,388(I) ^d (10.2 FTE)		
	19,840,243											

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(C) Taxpayer Service Division

Personal Services	8,616,529	8,304,362	312,167 ^a
reisoliai Services	, ,	8,304,302	312,107
	(137.6 FTE)		
Operating Expenses	508,769	504,686	4,083 ^b
Seasonal Tax Processing	296,391	296,391	
Document Management	4,321,455	4,282,936	38,519°
Fuel Tracking System	497,442		497,442 ^d
			(1.5 FTE)
Indirect Cost Assessment	9,724		9,724 ^d
_	14,250,310		

^a Of these amounts, \$1,049,093 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., and \$62,556 shall be from the Tobacco Tax Enforcement Cash Fund created in Section 39-28-107 (1)(b), C.R.S.

^b This amount shall be from the Mineral Audit Program for programmatic indirect cost recoveries.

^c Of this amount, \$65,500 shall be transferred from the State Board of Land Commissioners in the Department of Natural Resources, pursuant to Section 36-1-145 (2)(b), C.R.S., and \$500 shall be transferred from the Oil and Gas Conservation Commission in the Department of Natural Resources.

^d This amount is anticipated to include \$670,303 for direct expenses and \$154,085 for programmatic indirect cost recoveries and is included for informational purposes.

			APPROPRIATION FROM								
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS					
\$	\$	\$	\$	\$	\$	\$					

^a Of this amount, it is estimated that \$157,536 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., \$68,993 shall be from the Private Letter Ruling Fund created in Section 24-35-103.5 (6), C.R.S., \$63,800 shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115 (2)(a), C.R.S., and \$21,838 shall be from the Aviation Fund created in Section 43-10-109 (1), C.R.S. Expenditures from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund do not constitute fiscal year spending for the purposes of Section 20 of Article X of the State Constitution.

(D) Tay Conforce

^d These amounts shall be from the Highway Users Tax Fund created in Section 43-4-201 (1)(a), C.R.S., and appropriated pursuant to Section 43-4-201 (3)(a)(III)(V), C.R.S.

(D) Tax Conferee			
Personal Services	1,714,139	1,616,856	97,283ª
		(13.6 FTE)	
Operating Expenses	60,905	60,905	
	1,775,044		

^a This amount shall be transferred from Governor - Lieutenant Governor - State Planning and Budgeting from the Economic Development Commission - General Economic Incentives and Marketing line item in Economic Development Programs and originated as user fees.

(E) Special Purpose			
Cigarette Tax Rebate	8,141,834	8,141,834(I) ^a	
Amendment 35 Distribution			
to Local Governments	1,289,727		1,289,727 ^b
Old Age Heat and Fuel and			
Property Tax Assistance			
Grant	5,634,000	5,634,000(I) ^c	
Commercial Vehicle			
Enterprise Sales Tax Refund	120,524		120,524 ^d

^b Of this amount, it is estimated that \$2,633 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., \$950 shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115 (2)(a), C.R.S., and \$500 shall be from the Private Letter Ruling Fund created in Section 24-35-103.5 (6), C.R.S.

^c This amount shall be from various sources of cash funds.

					APPROPRIATION FROM								
	EM & TOTAL		TOTAL		GENERAL FUND		GENERAL FUND EXEMPT		CASH FUNDS	RE	APPROPRIATED FUNDS	FEDERAL FUNDS	
	\$	\$		\$		\$		\$		\$	\$		
Retail Marijuana Sales Tax Distribution to Local Governments	 20,336,8				20,336,822	(I)e							
	35,522,9	07											

77,643,374

(4) DIVISION OF MOTOR VEHICLES

(1) DETERMINE OF MICHOR	Difference			
(A) Administration				
Personal Services	2,586,977	231,797	2,303,835ª	51,345 ^b
	(32.9 FTE)			
Operating Expenses	458,200	11,711	443,099ª	3,390 ^b
DRIVES Maintenance and				
Support	2,600,000		2,600,000ª	
	5,645,177			

^a These amounts shall be from various sources of cash funds.

^a Pursuant to Section 39-22-623 (1)(a)(II)(B), C.R.S., this amount is included in the general appropriation bill for informational purposes and shall not be deemed to be an appropriation subject to the limitations of Section 24-75-201.1, C.R.S., or subject to the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution.

^b This amount shall be from the Tobacco Tax Cash Fund created in Section 24-22-117 (1)(a), C.R.S., which consists of revenues from additional state cigarette and tobacco taxes imposed pursuant to Section 21 of Article X of the State Constitution. This amount is thus not subject to the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution.

^c Pursuant to Section 39-31-102 (1)(a), C.R.S., this amount is included in the general appropriation bill for informational purposes and shall not be deemed to be an appropriation subject to the limitations of Section 24-75-201.1, C.R.S., or subject to the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution.

^d This amount shall be from the Commercial Vehicle Enterprise Tax Fund created in Section 42-1-225 (1), C.R.S.

e Pursuant to Section 39-28.8-203 (1)(a)(V), C.R.S., this amount is included in the general appropriation bill for informational purposes and shall not be deemed to be an appropriation subject to the limitations of Section 24-75-201.1, C.R.S., or subject to the limitations on state fiscal year spending imposed by Section 20 of Article X of the State Constitution.

^b These amounts shall be transferred from the Department of Corrections from the Offender ID Program in the Institutions Section.

			APPROPRIATION FROM								
	ITEM & SUBTOTAL	TOTAL		GENERAL FUND		GENERAL FUND EXEMPT		CASH FUNDS		ROPRIATED UNDS	FEDERAL FUNDS
	\$	\$	\$		\$	2,12,11	\$		\$	\$	
(B) Driver Services											
Personal Services ¹⁰³	21,771,6	597		3,156,569				18,501,56	2^a	113,566 ^b	
	(409.1 FT	ΓE)									
Operating Expenses	2,517,1	27		411,155				2,095,80	2ª	10,170 ^b	
Drivers License Documents	6,571, 8	358						6,571,85	8°		
	7,400,2	218						7,400,21	8°		
Ignition Interlock Program	1,240,4	150						1,240,45	O_q		
								(6.9 FTF	Ξ)		
Indirect Cost Assessment	2,289,2	223						2,289,22	3ª		
	34,390,3	 9 55									
	35,218,7										
	, ,										

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^d This amount shall be from the First Time Drunk Driving Offender Account in the Highway Users Tax Fund created in Section 42-2-132 (4)(b)(II)(A), C.R.S.

(C) Vehicle Services			
Personal Services	3,031,998	466,605	2,565,393ª
	(55.0 FTE)		
Operating Expenses	482,267	26,157	456,110 ^a
License Plate Ordering	10,197,124	216,315	9,980,809ª
Motorist Insurance			
Identification Database			
Program	338,255		338,255 ^a
			(1.0 FTE)

^a Of these amounts, \$2,000,000 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1)(a), C.R.S., and appropriated pursuant to Section 43-4-201 (3)(a)(I)(C), C.R.S., and \$18,597,364 shall be from various sources of cash funds.

^b These amounts shall be transferred from the Department of Corrections from the Offender ID Program in the Institutions Section.

^c This amount shall be from the Licensing Services Cash Fund created in Section 42-2-114.5 (1), C.R.S.

				APPROPRIATION FROM								
	ITEM & SUBTOTAL		TOTAL		GENERAL FUND		GENERAL FUND EXEMPT		CASH FUNDS	RI	EAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$		\$		\$		\$		\$	\$	
Emissions Program	1,275,174			1,275,174 ^b								
	202.04	.,							(15.0 FTE			
Indirect Cost Assessment	 382,96 15,707,77	_							382,96	1-		

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55,743,311 56,571,671

(5) ENFORCEMENT BUSINESS GROUP

(A) Administration

(11) / Idiministration				
Personal Services	980,001	7,407	642,965°	329,629 ^b
	(10.0 FTE)			
Operating Expenses	14,680	111	9,631°	4,938 ^b
	994,681			

^a These amounts shall be from various sources of cash funds.

(B) Limited Gaming Division

Personal Services	6,937,637	6,937,637(I) ^a (89.0 FTE)
Operating Expenses	1,022,457	1,022,457(I) ^a
Payments to Other State Agencies	4,497,011	4,497,011(I) ^a
Distribution to Gaming Cities and Counties	23,788,902	23,788,902(I) ^a

^a These amounts shall be from various sources of cash funds.

^b This amount shall be from the Department of Revenue Subaccount in the AIR Account, a subaccount in the Highway Users Tax Fund created in Section 42-3-304 (18)(c), C.R.S.

^b These amounts shall be from the Limited Gaming Fund created in Section 12-47.1-701 (1), C.R.S., and shall be transferred from the Limited Gaming Division in this department.

					APPROPRIATION FROM							
	ITEM & SUBTOTAL		TOTAL		GENERAL FUND		GENERAL FUND EXEMPT		CASH FUNDS	RE	APPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$		\$		\$	EXEMIT 1	\$		\$	\$	
Indirect Cost Assessment	 583,28 36,829,29	_							583,28	5(1)ª		

^a These amounts shall be from the Limited Gaming Fund created in Section 12-47.1-701 (1), C.R.S., and are included for informational purposes pursuant to Section 9 (5)(b)(I) of Article XVIII of the State Constitution and Section 12-47.1-701 (1)(b)(I), C.R.S., that specify that the State Treasurer is authorized to pay all ongoing expenses of the Limited Gaming Commission related to the administration of Limited Gaming, and that such payments shall not be conditioned on any appropriation by the General Assembly.

(C) Liquor and Tobacco Enforcement Division

(-)			
Personal Services	2,697,773	171,607	2,526,166 ^a
	(31.5 FTE)		
Operating Expenses	153,091	6,965	146,126ª
Indirect Cost Assessment	195,180		195,180°
	3,046,044		

^a Of these amounts, \$2,488,826 shall be from the Liquor Enforcement Division and State Licensing Authority Cash Fund created in Section 24-35-401, C.R.S., \$350,000 shall be from the Tobacco Education Programs Fund created in Section 24-22-117 (2)(c)(I), C.R.S., which consists of revenues from additional state cigarette and tobacco taxes imposed pursuant to Section 21 of Article X of the State Constitution and thus is not subject to the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution and pursuant to Section 21 (4) of Article X of the State Constitution, and \$28,646 shall be from the Reduced Cigarette Ignition Propensity Standards and Firefighter Protection Act Enforcement Fund created in Section 24-33.5-1214 (3)(f), C.R.S.

(D) Division of Racing Events

Personal Services	936,329	936,329 ^a
	,	(7.7 FTE)
Operating Expenses	220,721	220,721
Purses and Breeders Awards	1,400,000	1,400,000 ^b
Indirect Cost Assessment	50,615	50,615ª
-	2,607,665	

^a These amounts shall be from the Racing Cash Fund created in Section 12-60-205 (1), C.R.S.

^b This amount shall be from racing tax revenues deposited into the Horse Breeders' and Owners' Awards and Supplemental Purse Fund created in Section 12-60-704 (1), C.R.S.

			APPROPRIATION FROM								
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS				
	\$	5	\$	\$	\$	\$	\$				
(E) Motor Vehicle Deale	r Licensing Board										
Personal Services	2,338,324				2,338	,324ª					
					(32.3 I	FTE)					
Operating Expenses	138,691				138	,691ª					
Indirect Cost Assessment	216,746				216	,746ª					
	2,693,761										
^a These amounts shall be fi	ent		ed in Section 12-6-1	23 (1), C.R.S.							
Marijuana Enforcement	10,012,073				10,012						
To Provide Control Assessment	005 770				(104.1 I	•					
Indirect Cost Assessment	805,778 10,817,851	•			803	,778ª					
	10,617,631										
^a These amounts shall be fi	rom the Marijuana Cash F	fund created in	Section 12-43.3-501	(1)(a), C.R.S.							
		56,989,294	Į.								
(6) STATE LOTTERY D	DIVISION										
Personal Services	9,651,554				9,651	,554°					
	, ,				(117.1 I						
Operating Expenses	1,189,385				1,189	•					
Payments to Other State											
Agencies	239,410					,410 ^a					
Travel	113,498				113	,498°					
Marketing and											
Communications	14,700,000				14,700	,000ª					

			_	APPROPRIATION FROM							<u> </u>	
		ITEM & SUBTOTAL	TOTAL		GENERAL FUND		GENERAL FUND EXEMPT		CASH FUNDS	REA	APPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	9	5		\$		\$	\$	
Multi-State Lottery Fees		177,433							177,433	1		
Vendor Fees		14,269,479		14,269,479 ^a								
Retailer Compensation		54,572,160			54,572,160°							
Ticket Costs		6,578,000							6,578,000	1		
Research		250,000							250,000	1		
Indirect Cost Assessment		748,494							748,494	1		
			102,489,413									
^a These amounts shall be fr	om t	he Lottery Fund creat	ted in Section 24-	35-	210 (1), C.R.S.							
TOTALS PART XIX												
(REVENUE)			\$369,581,396		\$113,169,403 ^a				\$249,268,695	,	\$6,318,910	\$824,388°
		_	\$370,491,682	_					\$250,178,981	· _		

^a Of this amount, \$34,112,656 contains an (I) notation and is included as information for the purpose of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution. These amounts are continuously appropriated by a permanent statute, and shall not be deemed to be an appropriation subject to the limitations of Section 24-75-201.1, C.R.S.

FOOTNOTES -- The following statement is referenced to the numbered footnotes throughout Section 2.

- Department of Revenue, Taxation Business Group -- It is the General Assembly's intent that the Department review its existing resources dedicated to severance tax and provide the Joint Budget Committee with the information requested in the requests for information letter submitted in conjunction with the 2018 long bill.
- Department of Revenue, Division of Motor Vehicles, Driver Services, Personal Services -- The initial fiscal note estimated a total of 66,000 individuals would request an appointment for a S.B. 13-251 document. Continued operations for this program at more than one office are premised on the need to handle the

^b Of this amount, \$36,829,292 contains an (I) notation and \$2,000,000 is from the Highway Users Tax Fund created in Section 43-4-201 (1)(a), C.R.S., appropriated pursuant to Section 43-4-201 (3)(a)(I)(C), C.R.S.

^c This amount contains an (I) notation.

			APPROPRIATION FROM							
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS				
\$	\$	\$	\$	\$	\$	3				

initial surge of applicants. It is the intent of the General Assembly that once the annual appointments for first-time applicants made available for individuals who are not lawfully present in the United States falls below 5,000 per year or the total persons served reaches 66,000 the Division will reduce the offices that provide the service to one location. Of the amount appropriated to Driver Services, \$1.5 million cash funds are for the Colorado Road and Community Safety Act.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Leroy M. Garcia PRESIDENT OF THE SENATE

KC Becker SPEAKER OF THE HOUSE OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES

APPROVED February 28th, at 3/10 pm (Date and Time)

Jared S/Polis

GOVERNOR OF THE STATE OF COLORADO